REMARKS

Applicant has carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claims 1-2 and 5-8 stand rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative under 35 U.S.C. 103(a) as obvious over Devos et al. (U.S. Patent No. 6,099,511) in view of Leys et al. (U.S. Patent No. 6,575,187), Brody (U.S. Patent No. 5,288,290) and Onodera (U.S. Patent No. 5,074,334) and in further view of Peltonen (U.S. Patent No. 4,768,518), Monigold et al (U.S. Patent No. 4,526,140) and/or Monigold et al (U.S. Patent No. 4,483,287).

Applicants express their appreciation to Examiner Manuel Mendez for the courtesy of a personal interview, which was granted to Applicants' representative, Sanford T. Colb (Reg No. 26,856), on November 28, 2006, at the USPTO. The substance of the interview is set forth in the Interview Summary.

In the interview, the pending claims as amended above were discussed vis-à-vis the prior art of record. The Interview Summary Record states, in relevant part, "It was agreed that the proposed amendment overcomes the pending rejections; Applicant will file an amendment to implement the proposed amendments setting forth support in the specification".

Claim 1 has been amended to recite an anesthesia manifold, comprising a plurality of valves which are mounted onto a manifold element, each of said plurality of valves having a stopcock-type configuration including an open operative orientation and a second operative orientation which is pressure responsive for flow into said manifold element, and not having a default operative orientation.

Support for claim 1 as amended can be found in the first full paragraph on page 27 of the application as filed and in amended Figs. 2 and 3 and the descriptions thereof which are found on pages 27 and 28 of the application as filed.

The following discussion is included for the sake of the record only.

Devos et al describes: "A manifold has a manifold body defining a fluid flow pathway therethrough. The manifold body has a plurality of valves, at least one of which is a check valve

... By being positioned within the manifold body, the check valve is reinforced and stabilized within the manifold" (Abstract). As mentioned by the Examiner, Devos et al does not show or suggest the valves included in the manifold having a pressure responsive operative orientation.

Leys et al describes: "A 3-way valve for controlling the flow between fist and second ports and a common port. The 3-way valve comprising a valve body having an integral flow portion and a valve stem having first and second valve members... The valve stem operates between a first position where fluid is allowed to flow between the common port and the second port and a second position where fluid is allowed to flow between the common port and the first port" (Abstract).

Specifically, Leys et al describes: "When the interior pressure of the pressurizable portion 72 is at a noon actuating low pressure state... the spring 112 forces the diaphragm 76 and valve stem 16 to move into a first position and causes the valve seat engaging portion 58 of the first valve member 52 to sealingly engage the first valve seat 38 of the flow portion 30... When the interior pressure of the pressurizable portion 72 is at an actuating higher pressure state, the diaphragm 76 and the valve stem move into a second position... where valve seat engaging portion 58 of first valve member 52 seats on and sealinging engages the second valve seat 40, but is not sufficient to force the second valve member 54 through or into the second valve seat" (Column 5, lines 36 – 56).

Thus, the valve described by Leys et al includes a pressure responsive operative orientation but also has a default operative orientation as described in the section quoted above from column 5 thereof, contrary to the recitation in amended claim 1.

Brody describes: "The multi-ported valve assembly includes a valve body having a plurality of individual ports disposed in a common plane and a common port having its axis disposed perpendicularly to the common plane of the individual ports. The valve assembly includes a selector means having a body portion designed to engage the valve body and provide selective communication between one of the individual ports and the common port" (Abstract). However, Brody does not show or suggest the valve having a pressure responsive operative orientation as recited in amended claim 1 above.

Onodera describes: "A multi-way cock comprises a housing including a cylinder having a plurality of branch tubes extending from the periphery thereof, and a plug including a barrel

adapted to be rotatably fitted in the cylinder and having a corresponding plurality of channels formed therein, the channels corresponding to the branch tubes in assembled condition" (Abstract). However, Onodera does not show or suggest a valve having a pressure responsive operative orientation as recited in amended claim 1 above.

Peltonen describes a pressure control system and apparatus for the cuff of an automatic blood pressure meter. The device described by Peltonen senses the pressure in a pressure meter cuff, and adjusts the pressure within the cuff according to the sensed pressure. However, the pressure sensing described by Peltonen is not used to change an operative orientation of the cuff. Additionally, one of ordinary skill in the art would not be motivated to combine the invention described by Peltonen in a valve forming part of a manifold as described by Devos et al, as the devices thereof are completely different and employ different mechanisms.

Monigold et al describes a mechanical engine protection system including a temperature responsive valve, a pressure sensing valve and a mechanical shutdown actuator. With reference to the pressure sensing valve, Monigold specifically states: "Coil spring 210 biases valve element 192 away from seat 196 and drain port 34" (Column 6, lines 15-17). Thus, the pressure sensing valve described by Monigold has an open default operative orientation, contrary to the recitation in amended claim 1 above.

None of the prior art of record, alone or in combination, shows or suggests "An anesthesia manifold, comprising a plurality of valves which are mounted onto a manifold element, each of said plurality of valves having a stopcock-type configuration including an open operative orientation and a second operative orientation which is pressure responsive for flow into said manifold element, and not having a default operative orientation" as recited in amended claim 1.

With reference to the above discussion, independent claim 1 is deemed patentable over the prior art of record and favorable reconsideration is respectfully requested. Claims 2 and 5-8 depend directly or ultimately from the above mentioned independent claim and recite additional patentable subject matter and therefore are deemed patentable.

In view of the foregoing remarks and amendments, all of the claims are deemed to be allowable. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

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